

REMARKS

The Applicants have carefully reviewed the office action mailed on June 3, 2004. In response, the Applicants have amended claims 1, 22, 30, 32 and 37 to highlight that according to an embodiment of the invention, the scheduling subsystem schedules a particular time for the executing of a test scenario and the reservation of devices used in the test scenario.

The Examiner rejected claims 1, 30, 32, 34-35 and 37 under 35 U.S.C. §102 over U.S. Patent No. 6,532,237 to Or et al. ("Or"). While the Applicants agree that Or relates to testing a network topology, Or is different from the claimed invention. Or describes generating a network topology description for a Private Network to Network Interface (PNNI) protocol. However, Or is focused on automatic network topology generation and the creation of virtual portions of networks. Or does not teach or suggest a scheduling subsystem for scheduling testing scenarios or reserving network equipment according to a schedule for testing. In particular, Or does not teach or suggest allocating a particular, future time to testing activity or the reserving of equipment for that activity at that time.

The Examiner identifies column 8, lines 60-67 and column 9, lines 1-5 of Or as teaching the claimed scheduling subsystem. However, this portion of Or contains no reference to either scheduling or time. Thus, the Applicants submit that Or does not teach the claimed scheduling feature as originally claimed or as amended, and reconsideration of the claims is respectfully requested.

The Examiner rejected claims 2-11, 14-15, 21 and 23-24 under 35 U.S.C. §103 over a combination of U.S. Patent No. 6,466,971 to Humpleman et al. ("Humpleman") and Or. The Examiner found that Or lacked a teaching of a XML-based language for describing network topology, but indicates that Humpleman provides this teaching. Neither Or nor Humpleman, however, teach the scheduling element claimed in independent claims 1, 22, 30 32 and 37. Humpleman merely teaches a system for allowing device to device control in a home network where a browser may be used as part of the control function. Because neither reference teaches the scheduling element,

the Examiner has not made a prima facie case of obviousness and reconsideration of the claim is respectfully requested.

The Examiner also rejected claims 12-13, 16-20, 22, 25-29, 31, 33 and 36 under 35 U.S.C. §103 over Or. Because Or does not teach or suggest the scheduling element claimed in each of the independent claims 1, 20, 30, 32 and 37, Or does not represent a prima facie case of obviousness with respect to the independent claims or claims depending therefrom.

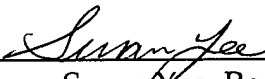
CONCLUSION

Based on the amendments and foregoing remarks, Applicants believe that the rejections in the Office Action are fully overcome and that the application is in condition for allowance. If Examiner has any questions regarding the case, Examiner is invited to contact Applicants' undersigned representative.

Respectfully submitted,

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